

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RANDOLPH WALLACE BOULDEN,

Plaintiff,

v.

MICHAEL FROSETH and
ANTHONY PUCILLO,

Defendants.

ORDER

07-C-602-bbc

In this case, plaintiff is proceeding pro se and in forma pauperis on his claim that defendants Michael Froseth and Anthony Pucillo, City of Madison police officers, violated his Fourth Amendment rights when they used a taser gun on him on December 19, 2005, for no reason except to harm him. Defendants have answered the complaint and, on February 27, 2008, Magistrate Judge Stephen Crocker held at pretrial conference at which he set a trial date and deadlines necessary to move this case to resolution. Pursuant to this order, plaintiff was to name his expert witnesses by March 17, 2008. Now plaintiff has filed a motion in which he asks for a 30 day extension of time to name his expert witnesses. In addition, he has submitted a letter dated February 24, 2008,

in which he asks that the court issue subpoenas to command the appearance of three potential witnesses at trial and to seek his own medical records from the Dean Medical Center in Madison, Wisconsin.

Plaintiff's requests for subpoena forms will be denied. It is too soon for plaintiff to be subpoenaing witnesses for trial. The magistrate judge set April 18, 2008 as the deadline within which any party may file dispositive motions. It is often the case that the parties claims are resolved at that stage. If the case survives such a motion, plaintiff may renew his request for witness subpoenas. However, his attention is directed to the requirements for requesting subpoenas set out in this court's "Witness Procedures," a copy of which was sent to him with the magistrate judge's February 27, 2008 order.

Plaintiff's request for a subpoena for the purpose of obtaining his medical records will be denied because he does not need a subpoena to get his own medical records. He should be able to obtain them simply by writing to the Dean Health System Medical Records Center and asking that the records he wants be sent to him.

Finally, although I will grant plaintiff a short extension of time in which to name his expert witnesses. He suggests that an extension is warranted because he is incarcerated and does not have a lawyer, but he does not suggest that these circumstances are likely to change in the next few weeks.

ORDER

IT IS ORDERED that

1. Plaintiff's request for the issuance of witness subpoenas is DENIED without prejudice.

2. Plaintiff's request for the issuance of a document subpoena is DENIED as unnecessary.

3. Plaintiff's motion for an extension of time to name his expert witnesses is GRANTED. The deadline is extended to April 1, 2008.

Entered this 18th day of March, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge